

44508

T/A 14054-0

EASEMENT

IN CONSIDERATION of the sum of TWO HUNDRED AND NO/100 DOLLARS, (\$200.00), BROOKS-SCANLON, INC. grantor, conveys to:

LEOTA M. CHAPMAN,

an easement to use a strip of land 20' wide, the center line of said strip being as follows:

Beginning at point which is 200' N of the $\frac{1}{4}$ corner between Sections 8 & 9, T24S, R9EWM and on the section line separating said sections, thence east 200' more or less to a point intersecting an easement granted by Brooks-Scanlon, Inc. (to KE Sandner on June 2, 1971) and recorded in the Klamath County records of easements in Volume 72, page 4738, thence southerly along said easement to the intersection of the Dallas California Highway #97.

The terms of this easement are as follows:

1. This easement is limited to ingress and egress to property described as follows: The S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 8 T24S, R9EWM lying east of the centerline of the Little Deschutes River, less a strip of land 330' in width along the north line of said property.
2. Grantor does not imply or guarantee any rights of access to public highways or roads.
3. (a) Grantor reserves the right to use the above-described easement for any reason whatsoever including but not limited to the right to use, construct, re-construct and maintain the road located on the easement strip for purposes of access for forest management and heavy hauling of timber, rock or equipment, and for purposes of access to any property owned by any subsidiary of the grantor. Grantor may grant use rights for such use to third parties. The parties shall cooperate during

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periods of joint use so that each party's use shall cause a minimum of interference to the others, however, in the case of conflict, grantor's right of use shall be dominant.

(b) Grantor reserves the right to relocate the road at any time and in such case shall reconstruct the road at such relocation and in as good or better condition as existed at the prior location. If the road is relocated, grantor may record an instrument indicating the re-located road and such instrument shall serve to amend this easement and eliminate any rights of grantee in the original easement strip. Such amendment of the description shall be effective whether or not signed by grantee, but grantee shall execute it or such other document necessary to indicate relocation of the easement strip when and if requested by grantor.

4. Grantee agrees to indemnify and defend grantor from any loss, claim or liability to grantor arising in any manner out of grantee's use of the easement strip. Grantee shall pay grantor for any merchantable timber or other property of grantor's damaged by grantees' use of this easement. Removal of merchantable timber along said shall be done only with the written permission of Grantor. Grantee assumes all risk arising out of its use of the easement strip and grantor shall have no liability to grantee or others for any condition existing thereon.

5. This easement shall be perpetual; however, in the event that it is not used by grantee for a period of three years, or if otherwise abandoned by grantee, the easement shall automatically expire and grantee shall, upon request, execute a recordable document evidencing such expiration.

6. This easement is granted subject to all prior easements or encumbrances of record.

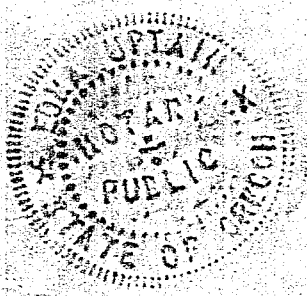
IN WITNESS WHEREOF the parties have caused this instrument to be executed this 15 day of March, 1978.

BROOKS-SCANLON, INC.

By LeRoy Neeley LeRoy Neeley
Asst. Sec./Treasurer
By John Rounds John Rounds
Timber Supply Manager
March 15, 1978

STATE OF OREGON, County of Deschutes, ss: LeRoy Neeley and John Rounds
Personally appeared the above-named LeRoy Neeley and John Rounds
who, being first duly sworn, stated that he is the Asst. Sec./Treasurer and
Timber Supply Mgr. of BROOKS-SCANLON, INC., and that the foregoing
easement was voluntarily signed on behalf of said corporation by
authority of its Board of Directors. Before me:

Edgar Watson
NOTARY PUBLIC FOR OREGON
My commission expires: 1-26-79



STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record at request of Transamerica Title Co.
on 25th day of April A. D. 19 78 at 3:32 clock P.M., on
duly recorded in Vol. 478, of Deeds on Page 8150

W. D. MILNE County Clerk
Bernetha J. Delach

Fee \$9.00

Given to: T/A
600 Main St.
R. Falls, Oregon